

Rulemaking Hearing Rules
of the
Department of Commerce and Insurance
Division of Regulatory Boards
Tennessee State Board of Architectural and Engineering Examiners

Chapter 0120-01
Registration Requirements and procedures

Amendments

Paragraph (1) of rule 0120-01-.09 References is amended by adding the sentence “No references will be considered if prepared more than two (2) years prior to the date of application” to the end of the existing language so that, as amended, the paragraph shall read:

(1) References named in applications for registration must be acquainted with the technical ability of the applicant, but need not be residents of the State of Tennessee. A minimum of five (5) references for architect, engineer, landscape architect and interior designer applicants shall be submitted. References from relatives will not be considered. No reference will be considered if prepared more than two (2) years prior to the date of application.

Authority: T.C.A.. §§ 62-2-203(c) and 62-2-301(a).

Paragraph (2) of rule 0120-01-.10 Education and Experience Requirements – Engineer is amended by adding the sentence “Unless otherwise noted above, an applicant’s engineering experience must be obtained after graduation and prior to the date of application” to the end of the existing language so that, as amended, the paragraph shall read:

(2) In general, “progressive experience in the practice of engineering” consists of engineering experience which is supervised by a registered professional engineer. The Board may grant toward experience requirements for registration as an engineer one (1) year of credit for graduation with a Master’s degree (or higher) in engineering from an approved curriculum or up to one (1) year of qualified experience obtained in an established cooperative education program, which is carried out within the framework of an approved engineering curriculum, and which has been approved by the Board. Unless otherwise noted above, an applicant’s engineering experience must be obtained after graduation and prior to the date of application.

Authority: T.C.A.. §§ 62-2-203(c) and 62-2-401.

Rule 0120-01-.17 Postponement of Examinations – General is amended by deleting the text of the paragraph in its entirety and substituting instead the following so that, as amended, the rule shall read:

0120-1-.17 Postponement of Examinations – General. Any applicant who postpones and requests to reschedule an examination after the date in which the examination is ordered shall pay a processing fee of twenty-five dollars (\$25.00) upon making the request to be rescheduled.

Authority: T.C.A.. § 62-2-203(c).

Chapter 0120-02
Rules of Professional Conduct

Amendments

Paragraph (1) of rule 0120-02-.05 Conflicts of Interest is amended by deleting the text of the paragraph in its entirety and substituting instead the following so that, as amended, the paragraph shall read:

- (1) The registrant shall conscientiously strive to avoid conflicts of interest with his employer or his client; but, when such conflict is unavoidable, the registrant shall forthwith disclose the circumstances to his employer or client in writing.

Authority: T.C.A.. § 62-2-203(c)

Paragraph (2) of rule 0120-02-.05 Conflict of Interest is amended by deleting the text of the paragraph in its entirety and substituting instead the following so that, as amended, the paragraph shall read:

- (2) The registrant shall avoid all known conflicts of interest with his employer or client, and shall promptly inform his employer or client in writing of any business association, interests or circumstances which could influence his judgment or the quality of his services.

Authority: T.C.A.. § 62-2-203(c).

Paragraph (3) of rule 0120-02-.05 Conflict of Interest is amended by deleting the text of the paragraph in its entirety and substituting instead the following so that, as amended, the paragraph shall read:

- (3) The registrant shall not accept compensation (financial or otherwise) from more than one (1) party for services on or pertaining to the same project unless the circumstances are agreed to in writing by all interested parties prior to the acceptance of any such compensation.

Authority: T.C.A.. § 62-2-203(c).

Chapter 0120-04
Interior Designers

Amendments

Paragraph (16) of rule 0120-04-.10 Professional Conduct is amended by deleting the text of the paragraph in its entirety and substituting instead the following so that, as amended, the paragraph shall read:

- (16) Before accepting a project, a registrant shall reasonably inform the prospective client of:
 - (a) The scope and nature of the project;
 - (b) The professional services relating to the interior design that will be performed and the method of compensation for those performed services; and
 - (c) All compensation that the registrant will receive in connection with the project. If the registrant accepts the project, the registrant shall not accept any compensation from any person with whom the registrant deals in connection with the project that has not been fully disclosed to the client in writing prior to acceptance of the project.

Authority: T.C.A.. § 62-2-203(c)

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 16th day of September, 2008 and will become effective on the 30th day of November, 2008. (FS 09-14-08; DBID 3250)